

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : GIACOMETTI  
Serial No. : 10/552,360  
Confirm. No. : 7251  
Filed : October 3, 2005  
For : METHOD AND DEVICE TO...  
Art Unit : 1791  
Examiner : Michael A. Tolin  
Dated : April 5, 2010

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.136 (a)**

Sir:

The Office Action dated December 8, 2009 provided for a shortened statutory period for response of three months.

The shortened statutory period expired March 8, 2010.

Since the attached response is being filed within the first month pursuant to 37 CFR 1.136(a) Applicant respectfully requests the Examiner to charge the appropriate petition fee of \$130.00 (fee code 1251).

Respectfully submitted  
for Applicant(s),



By: \_\_\_\_\_  
John James McGlew  
Reg. No.: 31,903  
For: MCGLEW AND TUTTLE, P.C.

JJM/BMD:tf

DATED: April 5, 2010  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-9227  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND  
TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO  
OUR DEPOSIT ACCOUNT 13-0410.